

**MEMO ENDORSED**

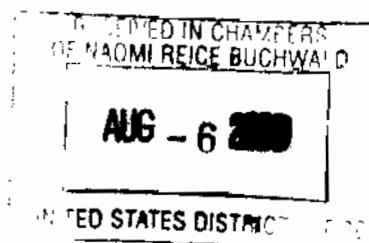
United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

August 6, 2008

By Fax

Hon. Naomi Reice Buchwald
United States District Judge
United States Courthouse
500 Pearl Street, Room 2270
New York, New York 10007



Re: Carol Ann Catanese v. Astrue
07 Civ. 10290 (NRB)

Dear Judge Buchwald:

This Office represents the Commissioner of Social Security, defendant in the above-captioned action. We are writing respectfully, on behalf of the parties, to request an adjournment of the Court's briefing schedule.

At the parties' request the Court adopted a briefing schedule making plaintiff's motion for judgment on the pleadings due by August 8, 2008, defendant's cross-motion due by September 19, 2008, and plaintiff's reply, if any, due by October 5, 2008. The parties have discussed this matter further and, based on those discussions, this Office has asked the Social Security Administration to further review this case. Because the agency's review may lead to a change in its current litigation position, we respectfully request that the Court's briefing schedule be amended as follows:

Plaintiff's motion for judgment on the pleadings is due by September 9, 2008;

Defendant's cross-motion is due by October 9, 2008;

Plaintiff's reply, if any is due by October 23, 2008.

This is the first request for an adjournment of the briefing schedule.

So
Ordered.
Naomi
Reice
Buchwald
USDS
8/8/08

MEMO ENDORSED

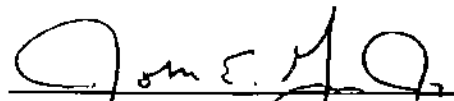
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| DATE FILED: 8/8/08 |

We thank the Court for its consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:



JOHN E. GURA, Jr.
Assistant United States Attorney
Tel. No.: (212) 637-2712
Fax. No.: (212) 637-2750

cc: Lewis B. Insler, Esq.
(By Fax)

2008



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|---------------------------|------------------|-------------------|
| Hon. Naomi Reice Buchwald | 212-805-0194 | 212-805-7927 |

REMARKS: Please see attached.